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**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR
 Chapter 11

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 LLC,
 Debtor.

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

In re:
 USA SECURITIES, LLC,
 Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC

**EX PARTE APPLICATION FOR
 ORDER SHORTENING TIME TO
 HEAR MOTION TO EXCLUDE
 DEBTORS FROM HAVING TO FILE
 INTER-COMPANY CLAIMS
 AGAINST EACH OTHER BY THE
 BAR DATE, OR ALTERNATIVELY
 FOR THE APPROVAL OF THE
 IMMEDIATE APPOINTMENT OF
 SPECIAL COUNSEL TO FILE AND
 PURSUE THE INTER-COMPANY
 DEBTOR CLAIMS**

Date: OST Requested
 Time: OST Requested

1 USA Commercial Mortgage Company (“USACM”), USA Capital Diversified Trust Deed
 2 Fund, LLC (“Diversified Fund”), USA Capital First Trust Deed Fund, LLC (“FTD Fund”), USA
 3 Capital Realty Advisors, LLC (“Realty Advisors”), and USA Securities, LLC (“USA Securities”),
 4 (collectively, the “Debtors”) hereby moves the Court for an order shortening time to hear the
 5 Motion to Exclude Debtors From Having to File Inter-Company Claims Against Each Other by
 6 the Bar Date, or Alternatively for the Approval of the Immediate Appointment of Special Counsel
 7 for Diversified Fund and FTD Fund to File and Pursue the Inter-Company Debtor Claims (the
 8 “Motion”). In support of this Motion, Debtors represent as follows:

9 1. The Motion request that the Court enter an order granting the Motion and that it
 10 exclude the Debtors from having to file inter-company claims against each other by the Bar Date
 11 (or that the Bar Date be extended without date for the filing of these claims), subject to the
 12 Debtors reporting to the Court at the October 19, 2006 hearing that all of the inter-company claims
 13 have been fully resolved in a Plan with the full agreement of the Committees, or, alternatively, if
 14 all inter-company claims are not fully resolved by October 19, 2006 with the full agreement of the
 15 Committees, that the Court approve the immediate appointment of special counsel for the
 16 USACM, FTD Fund and the Diversified Fund to file the inter-company claims at the hearing set
 17 on this Motion on October 30, 2006.

18 2. The Debtors request that the hearing on the Motion be set for a hearing for October
 19 19, 2006. A Notice Of Hearing was filed with this Court on October 5, 2006 and noticed to
 20 interested parties on October 6, 2006 setting the hearing on October 30, 2006 at 9:30 a.m.
 21 Interested parties were given only 24 days notice instead of 25 days. It is necessary to have this
 22 Motion heard by this date so that the other time frames and deadlines regarding this case are not
 23 adversely affected.

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3. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

Dated this 10th day of October, 2006.

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and

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